IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

TUESDAY, THE 20TH NOVEMBER 2007 / 29TH KARTHIKA 1929

WP(C).No. 34237 of 2007(A)

PETITIONER:

A.SALAHUDEEN, S/O ALI,
CHEKKALAYIL VEEDU, MANGALATHU NADA,
VAVARA AMBALAM, POTHENKODE,
THIRUVANANTHAPURAM.

BY ADV. SRI.G.SUDHEER

RESPONDENTS:
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1. THE SUPERINDENDENT OF POLICE(RURAL),
THIRUVANANTHAPURAM DISTRICT.

2. CIRCLE INSPECTOR OF POLICE,
KAZHAKUTTAM CIRCLE, THIRUVANANTHAPURAM.

3. SUB INSPECTOR OF POLICE,
MANGALAPURAM POLICE STATION,
THIRUVANANTHAPURAM.

4. ABDUL RASHEED, S/O ASANARU PILLA,
THUNDIL VEEDU, VAVARA AMBALAM, AALAPPADU,
KIZHETHONNAIKKAL, POTHENKODE,
THIRUVANANTHAPURAM-695584.

5. ABBAS, S/O ASANARU PILLA,
-DO- -DO-.

6. ASANARU PILLA, S/O YOOSAF,
-DO- -DO-

7. MUHAMMED HANEEFA, S/O AHAMMED PILLA,
PULIMOOTIL VEEDU, MANJUMALA,
KEZHETHONNAIKKAL, POTHENKODE,
THIRUVANANTHAPURAM-695584.

8. ABDUL RASHEED, S/O YOOSAF,

PUTHUVAL VEETIL HASIM MANZIL,
-DO- -DO-.

9. KHADEEJA BEEVI, D/O SALIHA UMMAL,
CHEKKALAYIL VEEDU,
-DO- -DO-.

10. MURALI, S/O BHASKARA PILLA,
CHEKKALAYIL VEEDU,
-DO- -DO-.

BY SR.GOVT. PLEADER SRI.R.LAKSHMINARAYAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR &

K.P.BALACHANDRAN, JJ.

W.P.(C) NO. 34237 OF 2007-A

Dated 20th November, 2007.

JUDGMENT

Balakrishnan Nair, J.

The petitioner has approached this Court, seeking police protection to his son, who is presently working in a Gulf country and is expected to arrive in India on 28.11.2007. He has filed Ext.P6 representation on 13.11.2007 for the said purpose and thereafter, this writ petition is filed, seeking the following relief:

"issue a writ of mandamus commanding and compelling the respondents 1 to 3 to provide adequate and effective police protection to the life of the petitioner's son Rahim from the threat of respondents 4 to 10 on his arrival in India and continue the same till his return to gulf."

2. The prayer of the petitioner is anticipatory in nature. This Court can pass orders in this jurisdiction, normally when it is shown that there is failure of duty from the part of the police. There is no reason for this Court to think that if there is any genuine threat to the life of the petitioner's son,

the police will not take any action. The present writ petition is premature. Accordingly, it is dismissed without prejudice to the contentions of the petitioner.

K.BALAKRISHNAN NAIR, JUDGE.

K.P.BALACHANDRAN, JUDGE.

Nm/